



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

January 22, 2004 By Facsimile

Mr. Travis Bice  
Chief Executive Officer  
Circuit Express Inc.  
229 South Clark Drive  
Tempe, AZ 85281

RE: South Indian Bend Wash Superfund Site: Possible  
Settlement of the Claims of the United States against  
Circuit Express

Dear Mr. Bice:

This is to confirm our telephone conversation yesterday in which I informed you that the United States, on behalf of EPA, is willing to settle its claims against Circuit Express for \$150,000, the sum expended by EPA to investigate and characterize releases of hazardous substances on and from the Circuit Express facility.

Attached please find a brief summary of some of the sampling data regarding hazardous substances at and near the Circuit Express facility, as we also discussed yesterday. If you have any questions about these matters, please call me at 415-972-3894.

Please understand that this communication is meant solely to further settlement, and is subject to the provisions of Rule 408 of the Federal Rules of Evidence.

We look forward to the response of Circuit Express to the settlement proposal.

Sincerely,

A handwritten signature in cursive script, reading "Jim Collins", is written over the typed name.

James Collins  
Assistant Regional Counsel

cc: Jamie MacAyeal, US Department of Justice  
Melissa Pennington, USEPA

## **CIRCUIT EXPRESS SUBSITE**

Location: Upgradient of the central plume and within the eastern plume  
Soil gas: PCE at 354  $\mu\text{g/L}$ ; and TCE at 31  $\mu\text{g/L}$   
Solvent Use: Used TCE and TCA. Soil gas suggests use of PCE.  
Groundwater: Well 6U (less than 100 feet downgradient) = 21  $\mu\text{g/L}$  PCE and 1  $\mu\text{g/L}$  TCE;  
Well 58MC (less than 500 feet downgradient) = 8  $\mu\text{g/L}$  TCE.